REMARKS

The Office Examined claims 1-36, and claims 1-6, 10-15, 18 and 20-36 are rejected and claims 7-9, 16-17 and 19 are objected to as dependent upon a rejected base claim. With this response claims 1-2, 4, 6-9, 10-11, 13-19, 23-24, 28-29 and 33-34 are amended. All amendments are fully supported by the specification as originally filed. Claims 1-2 and 6-9 are amended to remove "step of" language. Claims 4, 23-24, 28-29 and 33-34 are amended to recite the terms of the acronyms used in those claims. Support for the amendments to claims 10-11 and 13-19 can be found at least from Figures 3 and 4.

Applicant respectfully requests reconsideration of the rejections in light of the following remarks.

Drawings

Figure 1 is amended to include "Prior Art" in the legend. A replacement sheet is provided in the Appendix accompanying this response with amended Figure 1. As such, applicant respectfully requests that the objection to Figure 1 be withdrawn.

Claim Rejections Under § 103

At section 3, on page 2 of the Office Action claims 1-6, 10-15, 18 and 20-36 are rejected under 35 U.S.C. § 103(a) as unpatentable over Figure 1, pages 3-5 of the Admitted Prior Art of the instant application, in view of Chiu et al. (U.S. Patent No. 5,101,402). Applicant respectfully submits that the Admitted Prior Art and Chiu, alone or in combination, fail to disclose or suggest all of the limitations recited in claim 1. The cited subject matter at least fails to disclose or suggest providing identification data for interception related information packets and/or for said communication content packets of one group of communication packets, and providing ordering data for each of said interception related information data packets and/or for each of said communication content packets, as recited in claim 1.

On page 3 of the Office Action the Office acknowledges that the Admitted Prior Art fails to disclose providing identification data for interception related packets and/or for said communication content packets of one group of communication packets, and providing ordering data for each of said interception related information data packets and/or for each of said

communication content packets, and relies upon Chiu for this teaching. However, Chiu also fails to disclose or suggest the limitations of claim 1 recited above.

Chiu is directed to collecting information from a network for each of a plurality of software sessions. See Chiu column 4, lines 59-61. The network monitor system monitors all packets on the network in real time, extracts statistical and characterizing information from the packets, and organizes the information in these packets to create a complete and accurate picture of network usage by the various applications that initiate sessions on the network. The method disclosed in Chiu includes accumulating by session identifier characterizing information contained in the extracted header statistical data for the software sessions. See Chiu column 5, lines 38-41. While Chiu discloses that a unique session key is extracted for each session, and serves to identify the packets of the session, the session key does not identify interception related information packets and/or communication content packets of one group of communication packets. Instead, the session key is based on fields from the packet header, and therefore can only identify the data part of the packet when it is in combination with the packet header. See Chiu column 9, lines 7-9. Therefore, the session key does not provide identification data for interception related information packets and/or communication content packets, because it can only be used to identify packet headers of a session.

Furthermore, the "session identification" field referred to in Chiu only relates to the condensed session record, and contains information identifying a session but not interception related information packets and/or communication content packets, as recited in claim 1. See Chiu column 10, lines 40-43 (a condensed session record having the format of FIG. 14 exists for each session initiated during the execution of the method of the present invention). Therefore, the "session identification" only identifies the session, and does not provide identification for the packets related to the session.

In addition, Chiu also fails to disclose or suggest providing ordering data for each of said interception related information data packets and/or for each of said communication content packets, as recited in claim 1. Chiu only discloses inserting the sequence number of a packet header into a "window" until the window is full and the sequence numbers of the received data packets comprise an unbroken sequence. Therefore, the sequence number does not relate to interception related information and/or communication content packets, but instead only relates

to the data packet as a whole. For at least the reasons discussed above, the cited subject matter fails to disclose or suggest all of the limitations recited in claim 1, and for this reason alone claim 1 is not disclosed or suggested by the cited subject matter.

Claim 1 is also not disclosed or suggested by the cited subject matter because it would not have been obvious to one of ordinary skill in the art to combine the teachings of Chiu with those disclosed by the Admitted Prior Art. As discussed on page 5 of the present application it is important to know which interception related information (IRI) packets relate to which communication content (CC) packets. However, there is no motivation or suggestion to overcome the problems associated with the system of Figure 1 by combining the teachings of Chiu since Chiu does not address the problem of associating IRI packets with CC packets for one group of communication packets. In addition, the Office has failed to provide the motivation to combine the teachings of the Admitted Prior Art and Chiu to arrive at providing identification data for interception related packets and/or for communication content packets. Instead, on page 3 of the Office Action the Office only provides an asserted motivation to combine the cited subject matter to arrive at the limitation related to providing ordering data recited in claim 1. Therefore, for at least the reasons discussed above claim 1 is not disclosed or suggested by the cited subject matter.

Independent claims 10, 20, 25, 30 and 35 contain limitations similar to those recited in claim 1, and are rejected for the same reasons as claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, independent claims 10, 20, 25, 30 and 35 are not disclosed or suggested by the Admitted Prior Art and Chiu, whether alone or in combination.

Dependent claims 2-6, 11-15, 18, 21-24, 26-29, 31-34 and 36 all ultimately depend from an independent claim, and are patentable over the cited subject matter at least in view of their dependencies.
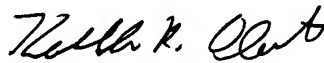
Allowable Subject Matter

At section 4, on page 6 of the Office Action claims 7-9, 16-17 and 19 are objected to as being dependent upon a rejected base claim, but are indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant acknowledges that the above mentioned claims are indicated to be allowable if

rewritten in independent form. However, at this time applicant does not wish to amend these claims, because it is believed the claims are patentable as written.

Conclusion

The objects and rejections of the Office Action having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned believes that no additional fee is required to submit this response, but hereby authorizes the Commission to charge deposit account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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APPENDIX